

**IN THE HIGH COURT OF THE JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO.1796 OF 2004

Zuber Khan @ Noor Mohd.Nawab
Ali Khan ..Petitioner

V/s

The State of Maharashtra & Anr. ..Respondents

Ms.Anjali Patil for the Petitioner.
Mrs. Sangeeta Shinde A.P.P. for the Respondents.

**CORAM : A.S.OKA, J.
DATED : JUNE 09, 2005.**

P.C.:

1. Heard Counsel appearing for the parties. The challenge in this Petition is to the summons dated 22nd January 2004 under section 113 of the Code of Criminal Procedure, 1973 by which the Petitioner was called upon to show cause as to why security should not be taken from the Petitioner. On the basis of the permission granted by this Court, the Petitioner has carried out amendment by adding ground 'f' in which it is stated that the Petitioner was arrested on 16th March, 2005 and after two days he was released after arrangements were made for furnishing surety. No prayer is made in this Petition as regards subsequent arrest of the Petitioner. In view of the subsequent event prayer made in this Petition as it stands today, has become infructuous. If the Petitioner has any grievance about

the subsequent detention, the Petitioner will have to adopt appropriate remedies. Hence, the Petition is rejected with liberty to adopt appropriate remedies as regards the alleged subsequent arrest of the Petitioner is concerned.

JUDGE